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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/687,524	10/15/2003	G. Eric Engstrom	109909-129605	5236

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EXAMINER

CHU, MICHAEL

ART UNIT	PAPER NUMBER
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2618

DATE MAILED: 09/25/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/687,524

Applicant(s)

ERIC G. ENGSTROM

Examiner

Michael Chu

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 15 October 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-17 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-17 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-17 are rejected under 35 U.S.C. 102(e) as being anticipated by Cermak et al. (US Patent# 6,763,095).

Consider Claim 1. Cermak et al. teaches in a wireless mobile communication device, a method of operation (Col. 2, lines 38-53, Abstract) comprising:

receiving a first user request from an input key of the wireless mobile communication device (Col. 5, lines 1-13, lines 29-39, Col. 2, lines 9-29, lines 38-52, particularly lines 42-45); and

in response, displaying on a display of the wireless mobile communication device (Col. 4, lines 1-37, Col. 5, lines 1-39), a list of communication messages of at least two message types selected from a message type group comprising of an email message type, a text message type, a voice message type, and a call message type (Col. 7, lines 35-44), where an icon is displayed when a new message has arrived, either a voice message or a text message.

Consider Claim 9. Cermak et al. teaches a wireless mobile communication device (Col. 2, lines 38-53, Abstract) comprising:

a transceiver to facilitate sending and receiving communication messages of a plurality of message types to and from a communication partner (Col. 2, lines 38-58, Col. 4, lines 1-37), where a system includes a user terminal that may be a cellular phone for incoming and outgoing communications, such as for a user to leave a message and receive a message;

a display (Col. 4, lines 18-21, lines 31-37, Col. 2, lines 9-15, lines 38-53, Col. 5, lines 29-39, Col. 6, lines 43-57);

an input device (Col. 2, lines 38-53, Col. 8, lines 41-59, particularly lines 50-52);
and

an unified message function to render on the display, in response to a first input inputted using the input device (Col. 4, lines 1-37, Col. 5, lines 1-39), a list of communication messages from the communication partner of at least two message types selected from a message type group comprising of an email message type, a text message type, a voice message type, and a call message type (Col. 7, lines 35-44), where an icon is displayed when a new message has arrived, either a voice message or a text message.

Consider Claims 2 and 10, in regards to claims 1 and 9, respectively, above. Cermak et al. teaches the method wherein the displaying comprises displaying on the display for a communication message, a pictorial icon depicting the communication partner of the communication message (Col. 5, lines 29-49, Col. 7, lines 45-62, particularly lines 53-62), where a visual display shows full information of the called party.

Consider Claims 3 and 11, in regards to claims 1 and 9, respectively, above. Cermak et al. teaches the method wherein the method of operation, further comprising

receiving a second user request from the same or another input key of the wireless mobile communication device (Col. 5, lines 1-13, lines 29-39); and

in response, expanding the display of a selected one of the displayed communication messages from the communication partner (Col. 4, lines 15-25, Col. 5, lines 9-13, Col. 6, lines 58-67, Col. 7, lines 1-34).

Consider Claims 4 and 12, in regards to claims 1 and 9, respectively, above. Cermak et al. teaches the method wherein the method of operation, further comprising

receiving a second user request from the same or another input key of the wireless mobile communication device (Col. 5, lines 1-13, Col. 5, lines 29-239, Col. 4, lines 3-10, Col. 8, lines 46-52, Col. 2, lines 38-47, Col. 1, lines 46-48); and

in response, facilitating reply to the communication partner using a same communication protocol of a selected communication message (Col. 7, lines 45-48, Col. 2, lines 54-65), where a user may reply to messages, including voice messages.

Consider Claims 5 and 13, in regards to claims 1 and 9, respectively, above. Cermak et al. teaches the method further comprising

receiving a second user request from the same or another input key of the wireless mobile communication device (Col. 5, lines 1-13, Col. 5, lines 29-239, Col. 4, lines 3-10, Col. 8, lines 46-52, Col. 2, lines 38-47, Col. 1, lines 46-48); and

in response, facilitating the user in selecting a communication protocol, and facilitating reply to the communication partner in the selected communication protocol (Col. 2, lines 54-65, Col. 7, lines 45-48), where a user acknowledges receipt of a message, and may reply or delete messages.

Consider Claims 6 and 14, in regards to claims 1 and 9, respectively, above. Cermak et al. teaches the method wherein said displaying comprises displaying the list of communication messages with at least three message types selected from the message type group comprising of the email message type (Col. 5, lines 1-13, Col. 6, lines 3-25, Col. 7, lines 5-21, Col. 8, lines 21-32), the text message type (Col. 6, lines 15-20, Col. 2, lines 9-21, Col. 7, lines 40-44), the voice message type (Col. 7, lines 23-62, Col. 4, lines 20-24, Col. 2, lines 9-21), and the call message type (Col. 7, lines 23-34, Col. 5, lines 29-39, Col. 4, lines 34-37).

Consider Claims 7 and 15, in regards to claims 1 and 9, respectively, above. Cermak et al. teaches the method wherein said displaying comprises displaying the list of communication messages with at least four message types comprising the email message type (Col. 5, lines 1-13, Col. 6, lines 3-25, Col. 7, lines 5-21, Col. 8, lines 21-32), the text message type (Col. 6, lines 15-20, Col. 2, lines 9-21, Col. 7, lines 40-44), the voice message type (Col. 7, lines 23-62, Col. 4, lines 20-24, Col. 2, lines 9-21), and the call message type (Col. 7, lines 23-34, Col. 5, lines 29-39, Col. 4, lines 34-37).

Consider Claims 8 and 16, in regards to claim 1 and 9, respectively, above. Cermak et al. teaches the method wherein said displaying comprises displaying text messages across different chat sessions (Col. 6, lines 15-20, Col. 2, lines 9-21, lines 38-65, Col. 7, lines 40-44).

Consider Claim 17, in regards to claim 9 above. Cermak et al. teaches the wireless mobile communication device wherein the wireless mobile device comprises a wireless mobile phone (Col. 2, lines 42-44).

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Helferich (US Patent# 7,039,428) teaches a method for delivering information to a transceiver for receiving a page and alerting that a message is waiting, preferably providing a short description of the message.

Gleason (US Patent# 5,966,663) teaches a data communications protocol for facilitating communications between a message entry device and a messaging center.

Kafri (US Patent# 6,754,316) teaches a method and apparatus for registering unanswered telephone calls, by directing an unanswered call to an external server, recording details of the calling telephone, including the telephone number of the calling telephone (caller ID), and notifying the called telephone of the details of the unanswered telephone call.

Uyeno et al. (US Patent# 5,946,636) teaches a visual notification system for use in telephone communication devices to identify data of an incoming communication to be recognized by a user of the device.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael Chu whose telephone number is 571-272-7875. The examiner can normally be reached on Monday-Friday (8:30am-5pm).

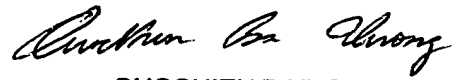
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nay Maung can be reached on 571-272-7882. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Michael Chu
Examiner
Art Unit 2618

MC 09/15/2006

 9/18/06
QUOCHIEN B. VUONG
PRIMARY EXAMINER